

SUBSTITUTE ORDINANCE NO. BL2018-1398

An ordinance to amend Title 17 of the Metropolitan Code of Laws, the Zoning Ordinance of The Metropolitan Government of Nashville and Davidson County, by changing from MUI-A to SP zoning on property located at 2004 and 2012 West End Avenue, approximately 170 feet southwest of 20th Avenue North (0.83 acres), to permit 360 multi-family residential units, and 6,500 square feet of retail or restaurant space, ~~short term rental property (STRP), owner occupied, and short term rental property (STRP), non-owner occupied,~~ all of which is described herein (Proposal No. 2018SP-070-001).

NOW, THEREFORE, BE IT ENACTED BY THE COUNCIL OF THE METROPOLITAN GOVERNMENT OF NASHVILLE AND DAVIDSON COUNTY:

Section 1. That Title 17 of the Code of Laws of The Metropolitan Government of Nashville and Davidson County, is hereby amended by changing the Official Zoning Map for Metropolitan Nashville and Davidson County, which is made a part of Title 17 by reference, as follows:

By changing from MUI-A to SP zoning on properties located at 2004 and 2012 West End Avenue, approximately 170 feet southwest of 20th Avenue North, (0.83 acres), to permit 360 multi-family residential units; and 6,500 square feet of retail or restaurant space; ~~short term rental property (STRP), owner occupied, and short term rental property (STRP), non-owner occupied,~~ being Property Parcel Nos. 039 and 036 and as designated on Map 092-16 of the Official Property Identification Maps of The Metropolitan Government of Nashville and Davidson County, all of which is described by lines, words, and figures on the plan that was duly considered by the Metropolitan Planning Commission, and which is on file with the Metropolitan Planning Department and Metropolitan Clerk's Department and made a part of this ordinance as though copied herein.

Section 2. Be it further enacted, that the Metropolitan Clerk is hereby authorized and directed, upon the enactment and approval of this ordinance, to cause the change to be made on Map 092-16 of said Official Zoning Map for Metropolitan Nashville and Davidson County, as set out in Section 1 of this ordinance, and to make notation thereon of reference to the date of passage and approval of this amendatory ordinance.

Section 3. Be it further enacted, that the uses of this SP shall be limited to a maximum of 360 multi-family units; and 6,500 square feet of retail or restaurant space; ~~short term rental property (STRP), owner occupied, and short term rental property (STRP), non-owner occupied,~~ all uses permitted by the MUI-A zoning district.

Section 4. Be it further enacted, that the following conditions shall be completed, bonded or satisfied as specifically required:

1. Façade treatment of parking structures and mechanical areas shall be reviewed by staff with the submittal of the final site plan. Façade treatments shall be generally consistent with the submitted elevations. Applicant shall work with staff to minimize light bleed from cars utilizing the garage.
2. Parking for all uses shall be provided consistent with the requirements of the Metro Zoning Ordinance.
3. No building signage is approved with this Preliminary SP. All signage shall comply with the standards of the MUI-A zoning district.
4. Prior to submittal of Final SP, meet with Planning to develop a Transportation Demand Management (TDM) plan and implementation strategy that includes transportation modal shift goals that reduce

number of single-occupancy-vehicle (SOV) trips to and from the development. The TDM plan shall be included with Final SP submittal.

5. Comply with all conditions of Metro Public Works and Traffic and Parking.
6. The Preliminary SP plan is the site plan and associated documents. If applicable, remove all notes and references that indicate that the site plan is illustrative, conceptual, etc.
7. The requirements of the Metro Fire Marshal's Office for emergency vehicle access and adequate water supply for fire protection must be met prior to the issuance of any building permits.

Section 45. Be it further enacted, a corrected copy of the preliminary SP plan incorporating the conditions of approval by Metro Council shall be provided to the Planning Department prior to or with final site plan application.

Section 56. Be it further enacted, minor modifications to the preliminary SP plan may be approved by the Planning Commission or its designee based upon final architectural, engineering, or site design and actual site conditions. All modifications shall be consistent with the principles and further the objectives of the approved plan. Modifications shall not be permitted, except through an ordinance approved by Metro Council that increase the permitted density or floor area, add uses not otherwise permitted, eliminate specific conditions or requirements contained in the plan as adopted through this enacting ordinance, or add vehicular access points not currently present or approved.

Section 67. Be it further enacted, if a development standard, not including permitted uses, is absent from the SP plan and/or Council approval, the property shall be subject to the standards, regulations, and requirements of the MUI-A zoning district as of the date of the applicable request or application. Uses are limited as described in the Council ordinance.

Section 78. Be it further enacted, that this ordinance take effect immediately after its passage and such change be published in a newspaper of general circulation, the welfare of The Metropolitan Government of Nashville and Davidson County requiring it.

Ed Kindall
Member of Council